UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,550	11/12/1999	CHRISTOPHER T. GRASTEIT	ETAK-07735US	1780

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EXAMINER
COLBERT, ELLA

ART UNIT	PAPER NUMBER
3624	

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _30 June 2003_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,3,4 and 6-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,3,4 and 6-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a)☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)		4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5)☐ Notice of Informal Patent Application (PTO-152)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _9_ .		6)☐ Other:

U.S. Patent and Trademark Office
PTO-326 (Rev. 04-01)   Office Action Summary   Part of Paper No. 12

DETAILED ACTION

1.   Claims 1, 3, 4, and 6-16 are pending in this communication filed 06/30/03

entered as Amendment B, paper no. 11.

2.   The IDS filed 06/30/03 has been reviewed and entered as paper no. 9.

3.   The Extension of Time filed 06/30/03 has been entered as paper no. 10.

4.   Applicant's 35 USC 101 rejection has been overcome by Applicant's amendment

to Claims 1, 3, 4, and 6-16 and is hereby withdrawn.

5.   Applicant's 35 USC 112 Second paragraph rejection still stands for the reasons

given below.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 1, 3, 4, and 6-16 are rejected under 35 U.S.C. 112, second paragraph, as

being indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention. It is unclear to the Examiner whether

Applicant means "a computer program product comprising a computer readable media

including: computer code ... " or simply "a computer program product ..., comprising:

computer code for ...".

The Applicant could have addressed the 35 USC 101 rejection by having the claims

recite "A computer-implemented method, comprising steps for: identifying an anchor

point; defining at least one radial extending from said anchor point; and associating at

least one item relating to said anchor point with said radials."

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over (US

5,904,727) Prabhakaran in view of (US 6,366,851) Chojnacki et al, hereafter Chojnacki.

With respect to claim 1, Prabhakaran teaches, computer code (col. 3, lines 31-

47) for identifying an anchor point (col. 12, lines 26-32). Chojnacki discloses, identifying

an anchor point (col. 4, lines 37-50). Prabhakaran did not teach, defining at least one

radial extending from the anchor point and associating at least one item relating to the

anchor point with the radials. Computer code is well known in the art of computer

programming and by definition is program instructions. Machine code consists of

numerical instructions that the computer can recognize and execute and that were

converted from source code.

Chojnacki discloses, defining at least one radial extending from the anchor point

(col. 24, lines 52-67and fig's. 21C-21D) and associating at least one item relating to the

anchor point with the radials (col. 7, lines 19-57). However, Prabhakaran does show a

radial (a line) extending from an anchor point in fig. 2 and fig. 5. Therefore, it would

have been obvious to one having ordinary skill in the art at the time the invention was

made to define at least one radial extending from the anchor point and to associate at

least one item relating to the anchor point with the radials and to modify in Prabhakaran

because such a modification would allow Prabhakaran to have a method or process of

programmatically assign x and y coordinates (usually no limited to earth coordinates-

i.e., latitude and longitude) to records, lists and files containing location information (full

addresses, partial addresses, zip codes, census FIPS codes, etc.) for cartographic or

any other form of spatial analysis or reference and to have the ability to map data in

order to visualize information and explore relationships previously unavailable in strict

database or spreadsheet analysis.

10.   Claims 3, 4, and 6-16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over (US 5,904,727) Prabhakaran in view of (US 6,366,851) Chojnacki et al, hereafter

Chojnacki and further in view of (US 6,101,496) Esposito.

With respect to claim 3, Prabhakaran teaches, computer code (col. 3, lines 31-

47).

Prabhakaran and Chojnacki did not teach, interpolating positions on a respective

radial corresponding to each of outside data matches corresponding to the respective

radial and placing a marker at each interpolated of the displayed respective radial.

Esposito discloses, interpolating positions on a respective radial corresponding to

each of outside data matches corresponding to the respective radial (col. 1, lines 59-67,

col. 2, lines 1-45, and col. 6, lines 22-41) and placing a marker at each interpolated of

the displayed respective radial (col. 5, lines 1-39 and lines 64-67, col. 6, lines 1-9, and

col. 7, lines 39-53). It would have been obvious to one having ordinary skill in the art at

the time the invention was made to have interpolating positions on a respective radial

corresponding to each of outside data matches corresponding to the respective radial

and placing a marker at each interpolated of the displayed respective radial and to

modify in Prabhakaran and Chojnacki because such a modification would allow

Prabhakaran and Chojnack to have geocoded OI records using current technology for

various precision assignments.

With respect to claim 4, Prabhakaran teaches, wherein the marker is any of a

point, notch, and icon representative of information associated with each outside data

match (col. 5, lines 64-67, col. 6, lines 1-24, and fig. 4(310) and fig. 5).

With respect to claim 6, Prabhakaran and Chojnack did not teach, computer code

for storing the radials in a database; wherein, the computer code for identifying an

anchor point; includes computer code for identifying the anchor point in the database;

and said computer code for associating comprises computer code for associating

information in the database with the radials, the information relating to the anchor point.

Esposito discloses, computer code for storing the radials in a database (col. 6,

lines 17-25 and fig. 3-1 (21 & 22); wherein, the computer code for identifying an anchor

point (col. 1, lines 24-35 and col. 4, lines 9-17) includes computer code for identifying

the anchor point in the database (col. 3, lines 25-54) and said computer code for

associating comprises computer code for associating information in the database with

the radials, the information relating to the anchor point (col. 8, lines 12-24). It would

have been obvious to one having ordinary skill in the art at the time the invention was

made to have computer code for storing the radials in a database; wherein, the

computer code for identifying an anchor point; includes computer code for identifying

the anchor point in the database; and said computer code for associating comprises

computer code for associating information in the database with the radials, the

information relating to the anchor point and to modify in Prabhakaran and Chojnack

because such a modification would allow Prabhakaran and Chojnack to have street side

placement and other location information based on anchor points which are known,

precisely geocoded records within the OI data set.

With respect to claim 7, Prabhakaran teaches, wherein the database is a

geocoded database of mapping information and the items are locations within an area

associated with the anchor point (col. 1, lines 50-58).

With respect to claim 8, Prabhakaran, Chojnack, and Esposito did not teach,

wherein the database is a database of satellite information, the anchor point represents

a position on a globe, and the items are satellites orbiting above an approximate

position of the anchor point, but it would have been obvious to one having ordinary skill

in the art at the time the invention was made to have a database of satellite information,

the anchor point represent a position on a globe, and the items to be satellites orbiting

above an approximate position of the anchor point and to modify in Prabhakaran,

Chojnack, and Esposito because such a modification would allow Prabhakaran,

Chojnack, and Esposito to have a location, RF signals which contain information

indicative of the location of a source of their transmission are received and processed to

derive the geographic coordinates of the location and the location in a database to be

associated with a mobile computer system so as to form a geocoded entry in the

database.

With respect to claim 9, Prabhakaran, Chojnack, and Esposito did not teach, wherein each radial identifies at least one feature of at least one of the satellites, but it would have been obvious to one having ordinary skill in the art at the time the invention was made to have each radial identify at least one feature of at least one of the satellites and to modify in Prabhakaran, Chojnack, and Esposito because such a modification would allow Prabhakaran, Chojnack, and Esposito to provide the mobile computer system with current positioning information and to retrieve and to display points of interest having geocodes within a predetermined range.

With respect to claim 10, Prabhakaran and Chojnack did not teach, computer code for matching outside data to information associated with the items and computer code for displaying each radial having associated information that matches the outside data. Esposito discloses, computer code for matching outside data to information associated with the items (col. 7, lines 54-67 and col. 8, lines 1-24) and computer code for displaying each radial having associated information that matches the outside data (col. 6, lines 22-33 and col. 7, lines 39-49). It would have been obvious to one having ordinary skill in the art at the time the invention was made to computer code for matching outside data to information associated with the items and computer code for displaying each radial having associated information that matches the outside data and to modify in Prabhakaran and Chojnack because such a modification would allow Prabhakaran and Chojnack to have the database default to the ZIP centroid with the addresses matching the assigned point.

With respect to claim 11, Prabhakaran teaches, wherein the outside data is location information of data stored in the database (col. 5, lines 36-43).

With respect to claim 12, Prabhakaran teaches, computer code for assigning a direction to each respective radial (col. 7, lines 60-67 and col. 8, lines 1-4).

Prabhakaran and Chojnack did not teach, computer code for calculating an endpoint for each respective radial, defining each respective radial from the centroid to its endpoint. Esposito discloses, computer code for calculating an endpoint for each respective radial, defining each respective radial from the centroid to its endpoint (col. 7, lines 39-67, col.8, lines 1-20 and lines 29-40, and fig. 5). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have computer code for calculating an endpoint for each respective radial, defining each respective radial from the centroid to its endpoint and to modify in Prabhakaran and Chojnack because such a modification would allow Prabhakaran and Chojnack to have the number of pinpointed x,y (z) addresses in the geocoding georeferenced library with the ability to interpolate from the addresses near or the exact street containing the vector of the address ranges.

With respect to claim 13, Prabhakaran teaches, computer code for assigning a direction to each respective radial based on at least one or information and features of the item associated with the respective radial (col. 13, lines 7-22 and lines 34-54).

With respect to claim 14, Prabhakaran, Chojnack, and Esposito did not teach, wherein the information and features is at least one of a margin of error with which the anchor point identifies a location corresponding to the item, facilities, including any one

of parking, food, and communications associated with the item, and any other

information or features related to the item, but it would have been obvious to one having

ordinary skill in the art at the time the invention was made to have the information and

features to be at least one of a margin of error with which the anchor point identifies a

location corresponding to the item, facilities, including any one of parking, food, and

communications associated with the item, and any other information or features related

to the item and to modify in Prabhakaran, Chojnack, and Esposito because such a

modification would allow Prabhakaran, Chojnack, and Esposito to have at least one

margin of error where the anchor point identifies a location corresponding to an item,

facilities, including parking, food, and communications associated with an item because

in a geocoded database the act, method or processes of programmatically assigning x

and y coordinates to records, lists and files containing location information for

cartographic or any other form of spatial analysis or reference particularly mapping data

is well known for being subject to a margin of error.

With respect to claim 15, Prabhakaran and Chojnack did not teach, wherein the

anchor point is a centroid and each item is a location within an area associated with the

centroid. Esposito discloses, wherein the anchor point is a centroid and each item is a

location within an area associated with the centroid (col. 2, lines 35-45, col. 4, lines 14-

17, and col. 8, lines 29-34). It would have been obvious to one having skill in the art at

the time the invention was made to have the anchor point as a centroid and each item is

a location within an area associated with the centroid and to modify in Prabhakaran and

Chojnack because such a modification would allow Prabhakaran and Chojnack to

have ZIP+4 centroids as a specific street level address in a raw data record. A centroid by definition is "a two-dimensional figure or three dimensional solid. Thus the centroid of a two-dimensional figure represents the point at which if could be cut out of, for example sheet metal. The centroid circle or sphere is its cen generally, the centroid represents the point designated by the mean of the coordinates of all the points in a set" (see enclosed Britannica Concise Encyclopedia reference).

With respect to claim 16, Prabhakaran and Chojnack did not teach, wherein each radial identifies a location within an area of the centroid and a proximity of the location to the centroid. Esposito discloses, wherein each radial identifies a location within an area of the centroid and a proximity of the location to the centroid (col. 3, lines 48-50 and lines 55-66 and col. 7, lines 29-33). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have each radial identify a location within an area of the centroid and a proximity of the location to the centroid and to modify in Prabhakaran and Chojnack because such a modification would allow Prabhakaran and Chojnack to have ZIP+4 centroids as a specific street level address in a raw data record. A centroid by definition is "a two-dimensional figure or three dimensional solid. Thus the centroid of a two-dimensional figure represents the point at which if could be cut out of, for example sheet metal. The centroid circle or sphere is its cen generally, the centroid represents the point designated by the mean of the coordinates of all the points in a set" (see enclosed Britannica Concise Encyclopedia reference).

Response to Arguments

10.   Applicant's arguments with respect to claims 1, 3, 4, and 6-16 have been

considered but are moot in view of the new ground(s) of rejection.

Conclusion

11.   The prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure.

Inquiries

12.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ella Colbert whose telephone number is 703-308-7064.

The examiner can normally be reached on Monday-Thursday from 6:30 am -5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for

the organization where this application or proceeding is assigned is (703) 305-7687

(Official Fax) and (703) 746-5622 (Unofficial Fax).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-308-

1113.

E. Colbert
September 16, 2003